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corner Place de l'Opéra, and Klosque 19, Boulevard des Italiens, corner Rue Louis le Grand. If our friends who favor us with manuscripts for publication wish to have rejected articles returned they must in all cases send stamps for that purpose.

Mr.Roosevelt as an Honorary Bencher. Among all civilized peoples there are excellent individuals who labor untiringly and unconsciously, like teredos in the heart of a pile, to fortify their most valued institutions.

On the 13th of August, 1608, JAMES I. granted the patent of the Inner and Middle Temple, and the tercentenary of that memorable occurrence has been made the occasion of a remarkable proposition. It will be recalled that the benchers of the Inns of Court, at the close of Mr. JOSEPH HODORS CHOATE'S term as American Ambassador to the Court of St. James's, made the extraordinary departure from tradition which was implied in their inviting him to an honorary seat in their august and venerable body. It was a startling and an unprecedented compliment, a most notable and gracious distinction, even if Mr. CHOATE was the chief figure of the American bar and a man whom it is natural to admire and to honor.

Certain kindly disposed and unquestionably well meaning persons have been stimulated by the tercentenary just mentioned to conceive the idea of making Mr. ROOSEVELT an honorary bencher as soon as he shall have unburdened himself of his present grave duties. They are convinced that this would be a fine thing to do. Americans, they are satisfied, are "just as proud as Englishmen of their heritage in the common law of England, of which the Inns of Court are the physical embodiment. Besides, EDWARD VII. is the senior bencher, and what could more conduce to the entente between the two great nations than his reception, in that capacity, of the illustrious ruler of the American

The impediment that Mr. ROOSEVELT, although he has studied law, has never been called actually to the bar is frankly admitted. The benchers, indeed, could hardly be expected to make astill further from precedent than was observed in the case of Mr. CHOATE. But, it is urged, "it is only necessary to mention the obstacle to secure its removal. Mr. Roosevelt's reception as an honorary bencher by the senior bencher, who happens at the moment to be EDWARD VII. of England, impresses these worthy people as the fittest possible expression that could be given to the historic identification of the Inner and Middle Temple with "the maintenance of good government and the furtherance of the common

There is no enlightened and God fearing lawyer in the United States, nor for the matter of that any citizen of parts and intelligence, who will not kindle with approbation of this amiable scheme. When did we ever produce a citizen so signally consecrated to the joint heritage of England and America in the common law as Mr. ROOSEVELT has shown himself to be? What other man, we permit ourselves to ask, would have developed a conception of the common law so nearly divine as to lead him to lynch the Supreme Court of his own country? Surely for penetration and profound discernment our neighbors across the waters are without rival.

We have an uneasy feeling that the benchers have never heard of GOMPERS.

## The Season of Snow Climbing.

It is said that from the Canadian Selkirks to the Alps and Caucasus this will probably be the banner year of mountaineering. The sport is growing in popularity every year.

It is not long since the mountains became the haunt every year of hundreds of thousands of pleasure seekers. Still less time has elapsed since many visitors began to wander from the valleys and grass covered hills to the exhilarating heights above. The pioneer climbers in the western Alps over a century ago had little part in kindling the love of high ascents. They were looked upon as athletes, no more to be emulated than circus gymnasts. Sportsmen who went home from the Alps with glowing accounts of their grandeur and learned men who struggled up the heights for scientific observation did more than the men of earlier achievement to bring

It was the middle period of mountain climbing, beginning in the '50s of the last century, that made the Alps "the playground of Europe," that turned the western Alps into the greatest high school of mountaineering and kindled an enthusiastic love of it that has taken Alpinists to all parts of the world for new peaks to conquer. The greatest educational influence was undoubtedly the mountain clubs, which have long been conspicuous in nearly every country of Europe and in the United States and Canada. In Europe the western Alps have profited more by the summer influx of visitors than the eastern Alps,

snow mountains into notice.

Austria, have been the scene of the greatest exploits of the club climbers, and first and last have had the lion's share of advertising in mountain literature.

Two of these clubs have been espe cially influential in promoting the love of mountaineering, the Alpine Club of London, the father of them all, founded in 1857, and the German and Austrian Alpine Union, organized in 1874. England was the natural home of the first club because in the first half of the last century it led all countries in the number of its mountain climbers and in its list of splendid achievements. Long ago the Germans called the London Alpine Club the "aristocratic-plutocratic club" because its greater distance from the Alps was more than offset by the superior ability of many of its members to meet the considerable expense involved in high mountaineering. This fact was doubtless important in giving the club the superiority it long enjoyed in the amount of Alpine work accomplished. Its field of work was extended from the western Alps to the Caucasus, the Andes and the central Asian mountains.

This club differs much from any of the others. It has no use for tyros, while the other clubs almost invariably are training schools for mountaineers. It admits no women to membership, while the doors are open in most clubs to women who are able to share in some of the hardships as well as the pleasures of mountaineering. It builds no refuge huts or paths, for it is the business of its experts to go where these sops to human weakness are not provided. It is probably correct to say that the Alpine Club of London has done more to develop the science of mountaineering, but the throngs that go every year to the snow mountains feel most grateful to the numerous clubs, as that of Switzerland and the German and Austrian Union, which have been so tireless in their efforts to make it easier to climb and have fostered the love of mountains in all the western nations.

#### Governor Comer Protests.

The Hon. B. B. COMER of Alabama has had his attention called to certain remarks in THE SUN last month concerning a Fourth of July speech he delivered in Samson, Geneva county, on the occasion of a local fair. A mighty fine speech we thought it was, and if he does not approve our comments on his references to Judge Jones of the Federal court he is hard to please, for those were the very references he made himself and with every appearance of deliberation. It occurred to us, moreover, that as Judge Jones was himself an Alabamian, had served throughout the civil war in the Southern army, had been Governor of the State and had always occupied a prominent position in society and affairs, enjoying the good will of his neighbors and the respect and confidence of the best elements of the people at large, he was entitled to considerate treatment by even Governor COMER himself.

Our comments were of course prompted by interest in the railway controversy -an interest which the whole country shared and which related to other States as well as to Alabama-and they embraced Governor COMER only to the extent to which in his capacity as Chief Executive he had seen fit to denounce Judge THOMAS G. JONES, his motives and his acts. He told his audience how Judge Jones had once been attorney for the Louisville and Nashville Railway Company, insinuated that he was a protégé of the president of that corporation, charged that he was under "railroad environment," described more or less accurately the injunction issued by Judge Jones from the United States bench-an injunction subject to review in the higher courts—and then said:

"When a high Judge descends to coercing a people then the ermine of his court is being dragged in the dust. No court can maintain a higher position than to hold the respect, love, the trust and confidence of all the people, and when places itself in the position of an advocate or timidator then there come recollections of a SWAIN, a BUSTEED and a JEFFRETS."

Now Governor COMER writes to us. thoughtfully enclosing a copy of his speech as published in the Birmingham News of the day of its delivery at Samson and suggesting that we print so much of it as refers to Judge Jones. He protests his faith in the judiciary, but asks: "If we do not criticise what we esteem to be improper jurisdiction or conduct how can we ever have a correction of same?" We might propose an appeal from Judge Jones to the tribunals above him, as a result of which all the alleged improprieties and injustices could be ventilated in a congenial atmosphere. but it is so evident the Hon. B. B. COMER thinks appeals from United States Judge JONES ought to be taken to the Governor of Alabama that we refrain.

We do not think that we need reproduce any more of Governor COMER'S allusions to Judge Jones. What we have given is the culmination of his lengthy arguments and assertions and serves all our purposes. We still think the Governor ought to have kissed the babies and delivered an impassioned apostrophe to the mammoth squash. That would have been in harmony with the occasion and saved him the expense of printing for distribution.

# Uses for the New Art.

"Our time, our art" is the slogan of the German decorators who have been impressing their principles so markedly on the art of their country. It is inevitable that such an art should bear the traces of those forms that for the last ten years have been distinguished by the adjective new. Yet there are worlds of difference between the virulent specimens of the art nouveau as it was revealed to the world in the Paris exposition of 1900 and the forms that the Germans use as the expression of their art of the day. German decorators have departed much more widely from the standards of the new art than their French colleagues, who still show disheartening signs of subservience to eccentric line and color. Perhaps this fidelity was to be expected in the country that created these new principles. German knowledge of the new forms was in a measuse derivative, so the influence of its | was presented, however, fifty years later

cause they are higher than the Alps of off. These modifications have made the German ideas of the art so much better suited to the conditions that prevail in

our own country. You need only gaze at some of our new commercial structures to realize the need here of a form of decorative art more closely in accord with the spirit of the day than the classic modes adapted to contemporary use. To read that the corridor of an office building is finished in brown and yellow marble with elaborately carved bronze chandeliers and cornices is to recognize an instant impropriety between the means and the purpose they are intended to serve. What illogical splendor is suggested by a hotel hallway hung in damask velvet with painted and gilded woodwork in the old Spanish style.

It is to remedy this lack of correspondence between decorative art and its purposes that the Germans have labored with such good results. Examples of their principles seem most suc- ever regard the theatrical business as cessful when applied to commercial architecture, which is the best test as the final manifestation of the spirit of the age. The sober acknowledgment of classic models which the work of the German decorators shows is a contrast to the reckless modernity of the Frenchmen, which has so far prevented appreciation of their principles outside their own country. So far as the Germans have gone in applying to commercial purposes their principle of an art for our time they appear to have done more than any other nation to save the discredited cause of art nouveau.

The New Democratic Household Art. Colonel Moses Cincinnatus Wetmore is "going in for" house decoration. A generation back every country settin' room or best room and perhaps the guest or "spare" room too, was sure to be adorned with framed certificates of membership in societies missionary, religious, charitable, social and what not. Very comforting, no doubt, was that form of art, at once testifying to the generous hand of some member of the family and beautifying or at least helping to cover the walls

Probably what we may call the framed certificate school of mural decoration still prevails in hundreds of thousands homes. Decoratively it is wholly equal to the early historical lithographic school, to WILLIAM HENRY HARRISON, for example, dying in the presence of a full Cabinet, highly colored, and speaking imposing sentences that form the legend of the picture. But this secular art, redeemed indeed by the virtue of its sentiments, was too brilliant and showy for the sustere American. For them the engraved certificate, with its picture or symbol in black and white. It is less sensuous, more funereal and restful.

Now with the flashing foresight of true genius Colonel Moses CINCINNATUS WETMORE offers to send a signed certificate for framing to every subscriber to the Shall the People Rule Fund. To make overflowing measure, the Hon. NORMAN E. MACK'S signature will be added to Colonel WETMORE'S. An engraving of Colonel WETMORE throttling the tobacco trust will form the centre. Colonel WETMORE's face will be on the right, MACK's on the left. Thus every Democrat has a chance to make his home beautiful and BRYAN and KERN happy. This is a most important movement in household art.

#### The Prosecution of the Vaudeville Trust.

A legal question of much interest and great practical importance is presented by the proposition to prosecute the socalled vaudeville trust under the Sherman act. To constitute a violation of that statute cognizable in the Federal courts it is not enough that the defendants shall have entered into a combination in restraint of trade; it must be alleged and proved that the combination affects either foreign commerce or commerce between the several States.

The language of the Sherman act is Every contract, combination in the form of trust or otherwise, or conspiracy in restraint of trade or commerce among the several States or with foreign nations is hereby declared to be illegal." The essential element which gives Congress as distinguished from the Legislatures of the several States the right to prosecute and punish persons who enter into trusts or combinations in restraint of trade is the fact that the association or organization tends to restrain or interfere with interstate or foreign relations of a commercial character. If, therefore, the vaudeville trust is amenable to the Federal law it must be upon the ground that its business constitutes to some extent at least interstate commerce and because the purposes of the trust if allowed to be carried out will exercise a restraint upon interstate commerce and interfere therewith.

In construing the commerce clause of the Constitution it was necessary for the Supreme Court at an early day to attempt to give a definition of the term "commerce" as used therein. In many cases it was not difficult to determine whether a certain specified business or occupation did or did not constitute commerce within the meaning of the Constitution. Thus when the Legislature of New York attempted to grant to ROBERT R. LIVINGSTON and ROBERT FULTON the exclusive right to navigate all the waters within the jurisdiction of the State with boats propelled by fire or steam it was plain that this monopoly of navigation was a commercial monopoly, in conflict with the commerce clause of the Constitution inasmuch as its effect was to prohibit vessels licensed under the laws of the United States for coasting purposes from conducting the business of navigation in steam vessels. This was held by Chief Justice MARSHALL in the celebrated case of GIBBONS against OGDEN, in which Mr. WEBSTER represented the successful party. The term commerce as used in the Constitution was declared to extend to "every species of commercial intercourse" between the United States and foreign nations and among the several States. Navigation was obviously a commercial means of intercourse. A more difficult question apparently for no other reason than be- first theories was more readily shaken in the Pensacola Telegraph case, in

which it was contended and finally decided that the electric telegraph is an instrumentality of commerce within the meaning of the fundamental law, although of course it was unknown when the Constitution was adopted. In that case it was substantially held that the term commerce as used in the Constitution comprehended not only the subjects and instrumentalities of commerce then known but also all future subjects of commerce and future agencies of commercial intercourse. It is doubtless by an extension of the doctrine of this decision that the opponents of the vaudeville trust hope to induce the Department of Justice to prosecute that combination under the Sherman act.

It is impossible, of course, to predict with any confidence what course the Attorney-General will take in the matter or what view the Federal courts wil finally adopt. We think, however, it will be conceded that very few people commerce. It is a little difficult to perceive how an agreement between a number of managers which has the effect of restricting the use of the theatres in different localities to dramatic companies in their employ or under their sanction can have any influence direct or indirect upon commerce between the States. Such a combination, of course, does interfere with other outside theatrical managers and may well be dealt with by State legislation as injurious to the public. The establishment and management of theatres, however, can hardly be said to possess any of the characteristic attributes of commerce if by that term we mean business transactions between more or less widely separated communities; and it is in this sense that the term appears to be used in the Constitution.

### An Example for Certain New York Statesmen.

IZZET Pasha, one of the discredited and fugitive favorites of the Sultan of Turkey, has sought asylum in England, which is now "his home, his country. Hated and feared by the Young Turks IZZET Pasha was regarded by them as a reactionary and enemy of progress. Yet:

" IZZET's account of the Young Turks' coup tells nothing, but he was impressively earnest in his declaration that both the Sultan and himself always desired a constitution."

In the present situation in New York politics this solemn statement from a distinguished statesman now fallen on evil days cannot be without interest to certain eminent publicists of the State. How long will it be before they must appear "impressively earnest" in declarations that they have always desired the renomination of CHARLES E. HUGHES for Governor?

That the dignity of discipline in the United States Military Academy is to be asserted and maintained, instead of being thrown to the forty winds of Presidential caprice is obviously due first of all to the respectful insistence of Colonel HUGH L. SCOTT, Superintendent and Commandant at West Point. Probably Colonel Scorr has counted even more than the Law itself.

The "Spell of Egypt" is not only upon ROBERT HICHENS but also upon the accom plished Jules Guerin, whose remarkable color studies in the Century hold and deserve the interest of the discerning. There is magic, for example, in this artist's pioture of Edfu, wherein the venerable Nile manages to twist itself ninety degrees or get into the background, while the equally ocommodating moon rises directly in the north, that its full orb may appear between the towers of the pylon. This would seem incredible were it not for the certificate "Painted From Nature."

When the German Parliament decided last spring to build the colonial railroads declared to be necessary some of the leading cotton manufacturers at once secured large tracts of cotton land in German East Africa and are arranging to plant on ar extensive scale. Germany bought last year nearly \$137,000,000 worth of fibre to feed he cotton mills; her people have been clamoring for the development of colonial cotton growing, and still it took the Government a long time to realize that so bulky and cheap a commodity requires the best of transportation facilities or it cannot be taken to market to compete with the fibre of other countries.

Eight years ago when the British reported that northern Nigeria might become a great source of cotton they added that its prospects in this line would not be worth shilling till railroads were built to the cotton lands. The long rapids in the Niger deprive these lands of water transport to the sea. This is the reason the British are now extending their railroad from Lagos about 700 miles to the Niger and beyond, and the completion of the bridge across the river will soon give Nigerian cotton an outlet to the Atlantic. There is no doubt of the great stimulus which this route will give to cotton culture.

The German colony of Togo pointed the way in 1900 to this new agricultural industry in tropical Africa. Togo is producing fibre now that is said to equal American middling, but British Lagos is exporting ten times as much cotton as Togo and German East Africa together because its railroad extends further into the cotton region. It is obvious that the demand for colonial cotton is one of the strongest incentives to railroad development in tropical Africa.

The Hon. JAMES W. WADSWORTH, Jr. addressing the Wayne County Veteran Soldiers and Sailors Association at Sodus Bay, gave utterance to these sentiments:

" I have said that Legislatures are subject to crit cism. They ought to be. They should be watched and criticised closely by every citisen. If they show signs of going wrong they should be rebuked and their complexion changed immediately. Bu I have no sympathy with that habit of thought and speech, so prevalent to-day, which would relegate the Legislature to the category of a rubber stamp for the agents of sensationalism. the Legislature to the category of a rubber stamp for the agents of sensationalism. I earnestly pro-test against that kind of abuse which tends to de-prive the legislator of his right to think and which seeks to characterise an honest difference of opin-ion as a sign of corruption. And I submit in all frankness that the final judgment of a clean legis-lative body is more to be relied upon than that of any one man."

An excellent theory, but what was the matter with the Legislature of the State of New York in 1907 and 1908?

In Harper's Monthly Mucasine for September will be found a liberal contribution of fiction, seven short stories and Mrs. Humphry Ward's serial Mr. Howells chats about the Boston of Lincoin-shire with comparisons with the Boston of Massa-chusetts, Professor Lounsbury writes very enter-tainingly about comparatives and superlatives. Dr. Sven Hedin tells of his travels in Tibet. Dr Ayers describes the evolution of the eye and Mr. F. T. Hill continues his history of Wall street. There is an interesting article on steerage passenger one on the pictures of Mr. S. Kendali and muc

NEW YORK-COSMOPOLIS. H.

Union Square is altered beyond recogni tion. In our town memories like rats at chased away by the ever rising flood of progress. There is no room for ghosts in New York. Thus Union Square to-day is less interesting than that pretty colgn. Stuyvesant Park. More vital is Madiso Square, with its prow of a bizarre stone snowplough, the Flatiron-Fuller Building cleaving its way northward; with the Giralds tower on the Madison Square Garden, Saint Gaudens's Diana of the Cross Currents, and the memory of the cheery old Fifth Avenue Hotel. Badly posed, theless the marble court house is still a thing of beauty. The loftiest building in New York blots out a section of the eastern sky; the Metropolitan Life Building with its tower. Another Campanile! Beautiful it is, not because of its stature—the loftier Paris Eiffel Tower is an iron scarecrow—but because of its lines. I watched it from my uptown eyrie while it was being built: saw its long legs and ribs gradually soar into space like one of Wells's Martians on their tripods. Down the vista of Madison avenue its side streets barring with sunlight the tracks of the electric cars, the Singer Building lifts out of the ruck and mass of the crowded skyline; the Flatiron strives jeal ously for first place in the race to the Times Building; but the Metropolitan is the lord of middle New York and the tallest building

in the world-until surpassed. To enjoy the delicate and massive drawing of the Times Building as etched against a southern sky-now ardent, now fire tipped, jewelled or swimming in the bewitching breath of a summer's day-one must study it from the north. A silhouette in the evening—and often like a child's church of chalk lighted at Christmas-it flushes rosy in the morning, and during the afternoon the repercussion of the hot sun waves drowns it in an incandescent haze. The fronds of stone ranging below it support this bell tower as if it were an integral part of them. It, too, aspires northward where the park blooms an emerald oblong. On its pinnacle the city below wears th precise, mapped out look and checkered image it has from a balloon or pinned on a land surveyor's chart. What a New York! Clubs that are palaces, hospitals that are cities, palatial theatres and churches more romanesque than Rome or duelling in terms of Gothic with the ecclesiastical masterpieces of the Old World! Why linger on the Grent White Way

or in the luxurious glass houses lining and lighting this slippery, glittering region; s region of modiocre plays, indigestion, headaches and the moral herringbone of dry and dusty to-morrows! Rather let us wonder why Washington Square has in part es caped the rage of the iconoclasts. It looks, on the north side, like an early novel of Mr. James. Some of lower Fifth avenue is still natural. But woe! When you pass north of Fourteenth street, where are the mansions of yesteryear? The pave over which once passed the trim boots of a vanishing aristocracy now holds a multitude of Yiddish workers from the ugly factories along this part of the avenue, men who talk in a harsh speech and block progress from 12 to 1 o'clock every week day Occasionally Mark Twain, in white and always smoking, goes by, not a phantom but a reality who makes us believe the past was not a nightmare. However, if Mr. Howells can admire the new Rome and take it in tranquil doses, why should we selfishly resent the destruction of our pleasant memories to make way for such alien shapes? Or despair because the Order of the Golden Fleece is rampant in our business and political world? Or grow excited over the anatomy of the new architecture? Let us be thankful that the old stupid bourgenis brownstone will soon be a thing of the past; that the new business houses are seeking a note of individuality in their construction. Nor need we be shocked because of the anachronism of a under a basilica. This is the New World: older orders are changing. Why not architecture—and manners, too, in the fierce St Vitus dance after the dollars?

Palaces again fill your eye on Fifth avenue from Madison Square to the end of the Park. Jewellers who transact business in the quarters of a Venetian doge; shopping palaces; booksellers that handle an army of books in a space as vast as a cathedra banks that look like Greek temples, hotels the Waldorf-Astoria, Plaza, Gotham, Savov Netherland or St. Regis, that are on noc ding acquaintance in midair with the Belmont, the Astor, the Singer or the Metropolitan buildings. Wander a block westward and you will encounter a tiny miracle of early Florentine, the Herald Building, a challenge of beauty to the big departmen stores. Ugly but useful the elevated railways that go spidering up and down the city; while in its bowels we spin through labyrinth, whether to The Bronx or Jersey or Long Island or the upper West Side. Another halt after admiring Saint Patrick's Cathedral is enforced before the Vanderbilt mansion, a vision of an Old World château. From Sixtieth street Arcady begins, the Aroady of multimillionaires and them that go about in sight seeing coaches. Pass the Metropolitan Museum, the obelisk, Mr. Carnegie's comfortable house; go over to Riverside Drive and from the Soldiers and Sailors Monument look down the river and ask yourself where there is a lovelier or more impressive sight. Or, looking northward nete that first jut of the Palisades, like the profile of a sullen monster with the river coadening, hurrying, glistening, and the wide fling of the panoruma-little wonder your vocabulary makes for extravagance Sound, color, form, substance, in what rainbow region is locked the secret of their verbal transposition? We are not over proud of our Palisades. In Germany they would rival the Rhine scenery-but here in America, we haven't the time to visit them or bestow more than a passing word of praise. The much mocked "Hudson River School" of landscape painters had at least the courage of good taste.

It is a pretty idea to see New York as

symbol either of cruelty, waste, pain, pleasure or as a haven for the persecuted; in the concrete, not merely the New York of the impressionistic brush, she is tremendous. Yet we may view her symbolwise if for naught but mental economy The city lies sprawling encompassed by three rivers, a monstrous Gulliver, overrun by busy Lilliputians who, the surer to subjugate her, have builded bridges about her making her a part of Long Island andunderneath the river and the gliding and the conquest of boats-of New Jersey Soon bridges across the open Hudson will make our neighbor State next door. Bridges! Washington, High Bridge, over the Harlem; Blackwell's Island, Williamsburg, Manhattan and the Brooklyn bridges across the East River! Yet not enough. Some day both rivers will be spanned by broad bosomed roadways. New York will have ceased to be an island.

On Sunium's heights, on that enchanted plateau known as the Acropolis of America, where are Columbia University, the Teachers and Barnard colleges, where the Cathedral of St. John the Divine already commands the city—as does the Sacré-Cœur at Paris, we breathe another atmos-phere. The sense of greater space, of air

untainted, of a milieu in which broods the sentiment of the grave and academic, of repose and absence from the strain and roar in the streets beneath—these rare qualities endear the spot to the contemplative mind. The College of the City of New York is a noble group of dark field stone and white terra cotta, the central tower of which burns curiously in the sunlight or fades in the shade of the clouds. And the New York University on University Heights, The Bronx with its Hall of Fame, stir the pulse. Of the Bronx Park, the Speedway, of the immense tracts of developed territory and wide boulevards in upper New York, soon to become the homes of the thousands who jam the subways, surface roads and elevated railways—a monotonous mob going south in the morning, north at night, a mob of which we are all members over this region we cannot speculate. We expect some time to see streets and terraces in the air to relieve the crowded surface traffic. Cosmopolis! A Cosmopolis never dreamed of by Stendhal.

When the softer and richer symphony of the night arrives, when the jarring of your ego by innumerable racking noises has ceased, when the city is preparing to forget the toiling daytime, then the magic of the place begins to operate. That missing soul of New York peeps forth in the nocturns transfiguration. Not on Broadway, how-ever, with its thousand lights and lies, not in opera houses, theatres or restaurants, but on some perch of vantage from which the nocturnal scene in all its mysterious melancholy beauty may be studied. You see a cluster of blazing lights at the West Side Circle, a ladder of fire the pivot. Further down theatreland dazzles with its tongues of flame. Literally a pit, white hot. Across in the gool shadows are the level lines of twinkling points of the Brooklyn and Williamsburg bridges. There is always the sense of waters not far away. All the hotels from the Majestic and Plaza to the Belmont and Manhattan are tier upon tier starry with illumination. "The night hath a thousand eyes" surely applies to Gotham after sundown. Fifth and Madison avenues are long shafts of bluish white electric globes. The new mondiths burn, as if to a fire god, votive offerings; while the Metropolitan tower, when still a thing of bare steel poles, was furnished with a cruciform light that was high enough to be seen in New Jersey. Fifth avenue mansions seem snow driven in the moonlight. The synagogue at Seventy-sixth street and Fifth avenue, half Byzantine half Moresque, as it lies sleeping in the rays of the moonlight might be mistaken for an Asiatic mosque. The Park, as if liquefied, flows in plastic rhythms, a lake of velvety foliage, a mezzotint dividing the East from the West. Sudden furnace bonfires leap up from the Brooklyn side; they are purely commercial; you look for Whistler's rockets. Battery place and the Bay are operatic, the setting for some thrilling fairy spectacle. Oh! the scattered plain of granite housetops, like some petrified cemetery of immemorial Titans. New York at night loses its New World aspect; it wears the patina of time. It is a city exotic, semi-barbaric, the fantasy of an Eastern sorcerer mad enough to evoke from forgotten seas the lost Atlantis.

Lincoln's Own Account of His One Trans-

action in Whiskey.

TO THE EDITOR OF THE SUN-Sir: One of

the many vituperative charges urged against

of 1860 was that he was a whiskey drinker

and kept it for sale "as a part of his general stock of merchandise." Though this charge

was laid to rest more than forty years ago it has been resurrected and warmly debated

coln's own statement concerning the quest

many quarters. Believing that Mr. Lin-

had it from his own lips while painting his

During his sittings for the portrait his

portrait at Springfield a few weeks prior to his election.

familiar talks about his Senatorial contest

postmastership at Salem, how he became

a lawyer, &c., were very interesting. Much that he said was in response to questions

or suggestions. At the last sitting I ven-tured to ask him about the whiskey re-

was so little money injoirculation that I was compelled to take in payment for my goods

had got enough together for a boatloa

gamon River to the Mississippi and so on

was about to start on one of these trips

eighbor asked me to take three barrels

of whiskey to New Orleans and sell it for him. That I did."

Then with emphatic speech and gesture

"That was the only whiskey transaction

Signs and Portents.

TO THE FOTTOR OF THE SUN-Sir: Bishop Lati-mer says that "Master More was once sent in com-mission into Kent to help to try out, if it might be,

Long a mystery, this vered question now finds solution in New York; side the sign, "Goodwin Bros., Sand and Gravel."

Remembering, as some of us do, that at the time

How the Rattlesnake Wounds.

To TRE FDITOR OF TER SUN—Sir: The writer has many times removed his hat to the editorials in TEE Sun. Thus having politely introduced himself he would request that that same editorially

wise and influential luminary refrain from saying that Keeper Rose of Wathington was "atung" by a rattlesnake. Many have been "stung" by softer

and fairer things than "the tongue of a viper." but

seriously there are many good people who regard the darting tongue of the reptile under considera-tion in the same light as the business end of the

busy bec. Credit to what credit is due, and let due respect be paid to the biting ability of the husky jaws and the well sharpened fangs of our squirming

The Vocabulary Laboratory.

To THE EDITOR OF THE SUN-9ir: How about a bryanide; or is this only a variation in atomic ar-

rangement of the same elements that go to mak up the old familiar bromide? M. N. M. MILWAURER, Wis., August 20.

Jonathan Smith.

I formed my own opinion and was pleased with this Constitution. Some gentlemen think that our liberty and property are not safe in the hands of moneyed men and men of learning. I am not of that mind.—From a speech of February, 1788.

moneyed men and men of learning. I am not of that mind.—From a speech of February, 1786.

Now hark to the story of Jonathan Smith.
Flain farmer of Lanesborough, person of pith.
What time Massachusetts just sat on the fence Our great Constitution he saved by horse sense. He said he was plain and unused to be heard;
With brother plough joggers he wanted a word, He made them a speech at that critical hour Extolling the checks and the balance of power, And then he propounded his old fashioned view Relating to property, liberty too.
He said he would trust those possessions so dear To persons of learning or wealth without fear.
Ah, Jonathan, Jonathan, what an address;
Now learning and wealth are corruption, no less, What tollsome existence you must have pursued To give you ideas so sturdy and crude.
You must have lacked pleasure and joy in your lot, Or such rigid standards would cling to you not. To fit you to cope with our latter day strife.

McLandburges Wilson.

KENNETH GROESBECK

ALBAN JASPER CONANT.

New Orleans, where I sold my stuff and

When I was in the grocery business there

This was his reply:

anything the farmers had to sell.

replenished my stock of groceries.

of my life."

NEW YORK, August 22.

TO THE EDITOR OF THE SUN-Sir: The article n THE SUN of August 18, headed "Automobile Joy' Rides" and signed "J. R. F.," is decidedly interesting as well as quite pertinent to the movements of automobiles in so far as failure to exercise proper control serves to menace public safety and to do violence to the rights of individuals.

RESPONSIBILITY FOR THE MINOR.

Where Does the Parent Become Liable for

His Acts?

THE DIOCESE OF NEW YORK.

TO THE EDITOR OF THE SUN-Sir: Dr. David

Hummell Greer, who has just returned from the Lambeth Conference, now enters upon his duties as the eighth Bishop of the Prot-

estant Diocese of New York. Being in the prime of manhood and full of ministerial

ife, he is not likely to ask for a coadjutor,

but it is understood that at the next diocesan convention, on November 11, a strenuous effort will be made to divide the diocese

and to create a bishopric at either Newburgh

or Poughkeepsie. The late Bishop Potter, opposed this division as it would separate

he outlying towns and villages from the

financial support of New York city. The 400 clergymen, of whom about 200 have parish

churches, are not an overwhelming charge

n the mother church, there are about the

ame number of clergy in the recent division

of the diocese. In New York the services

of Bishop Courtney are available for con-firmations as well as those of Western Bishops

who visit the city to collect funds.

The diocese of New York has had an event-

ful and somewhat checkered history. The first Bishop. Samuel Provocst, was a most

unmanageable man and of such aristocratic

to consecrate an assistant without a wig. He resigned under the firm conviction that

the Anglican communion would die out with the old Colonial families. His successor, Bishop Moore, carried on his episcopal duties

in the same easy fashion, commending the

Church, however, as Provoost did not, by

his quiet and consistent piety. It is to the third Bishop. Dr. Hobart, that the Episcopal

his quiet and consistent piety. It is to the third Bishop, Dr. Hobart, that the Episcopal Church in New York owes its very existence, Hobart was a consistent high churchman with evangelical fervor and a confirmed total abstainer. By overwork and a zeal for the house of God which made him "burn out for Christ," he died at the early age of 54. His honored remains rest beneath the channel of Trinity Church. The sad and pathstic story of the fourth Bishop, Dr. Onderdonk, is best told on the altar tomb in a side chapel of Trinity Church. A mitred figure lies recumbent with the crozler fallen from his hand as the serpent of vile scandal bites his heel. During his suspension two provisional Bishops were consecrated, Dr. Wainwright and Dr. Horatlo Potter. At Bishop Potter's death there were two candidates nominated in convention, Dr. Morgan Dix and Dr. Henry C. Potter, the latter being elected by a small majority. Three of the Bishops were rectors of Trinity Church (Provost, Moore and Hobart). Two were assistants of Trinity (Onderdonk and Wainwright). Dr. H. Potter was rector of St. Peter's, Albany, Dr. H. C. Potter, rector of Grace Church, New York, and Dr. Greer, rector of St. Bartholomew's, New York, Their respective ages at the time of their deaths were as follows: Provost, 83; Moore, 67; Hobart, 54; Onderdonk, 69; Wainwright, 62; H. Potter, 84; Henry C. Potter, 74.

\*\*D. D. LL.D.\*\*

\*\*DESPONSIBILITY FOR THE MINOR\*\*

or one man. In the diocese of Glor

of Bishop Poster's Opinion Against Dividing It.

The article presents a clear and comprehensive exposition of the theory of the common law, but now the question arises: Of what does the common law consist in practice? To what extent and when will the common law hold a parent responsible for damages done by a minor while in charge of a horse, automobile or other vehicle the property of the parent? Or to what extent and when will the common law hold an employer answerable for injuries inflicted by an employee while in charge of a horse, automobile or other vehicle the property of the employer

erty of the employer?

A number of years ago a friend of mine resident in an up-State city was riding in a buggy drawn by a team of horses when a minor on horseback approached from the rear and through fallure to exercise proper control allowed his horse to collide with the buggy in a manner that caused damages to the amount of \$50 or more. damages to the amount of \$30 or more.

My friend sought legal advice and was informed

by one of the best constitutional lawyers that, despite the fact of the boy being mounted upon his father's horse, yet as he was moving along on his own initiative on pleasure bent nothing could be collected from the father, but that if it could be proved that the boy was on an errand or per-forming any other actual service for the father then the father could be made responsible for the would be of interest, I beg leave to give it as

More recently another case somewhat similar in character, with a minor as the principal, was being traversed when a lawyer expressed an opinion hat the boy could be sued in to allow of a body execution to place the boy in jall; but the advisability of that even was questionable. for if the father still refused to pay the Court wou not hold the boy after it had been shown that he neither had nor was he likely to be able t funds to pay with.

SPRINGFIELD, Ohio. August 20.

From the London Dathy News.

A remarkable feat in chimney "throwing" is he accomplished at Aldershot when two shafts. loaded my flatboat, floated down the San-170 feet and 85 feet high respectively, in the brick works of Messrs. Alderton & Sumpsters, will be thrown by Mr. W. Larkins, the well known London The method of demolition is attended by some

risk. Huge gashes in the bottoms of the shafts will be made by the gradual removal of the bricks. until the towering masses topple over by their own weight. The old method was to place wooden props in the holes as supports and then to burn them out; but Mr. Larkins's method is a more expeditious and economical one, although it is attended by much more risk, as very little time is given for the steeplejack and his assistants to

run to a place of safety.

To-morrow's exhibition will be m ally exciting. The stacks are situated in a very bad position for "throwing," as there is but little space to make preparations. As it is, a building adjoining will be destroyed in the process. The only possible position for the stacks to fall lies across this structure, and the chimneys will be thrown over it. The great weight from the falling mass of masonry and bricks will smash the building like matchwood, and the noise, it is said, will be heard for a couple of miles around. Mr. Larkins

of the Grant funeral ceremonies THE SUN noted the fact that a manufacturing firm on Broadway voiced its grief in a banner bearing the inscripwill have a staff of assistants to help him in his work of destruction.

Aldershot is having a half holiday for the occasion. Rost of the big works are to be closed, Mr.

Larkins told the Day News representative yestion, "We mourn our losses," I am encouraged call your attention to the fact that the public is no informed by a Brooklyn genius, in large black let-ters on a white ground, that "The Hard Times Are NEW YORK August 22. terday, and some of the regiments stationed there will watch the operations. The local authorities will also attend, and special accommodation will be made for the officials and regimental officers.

"The Cuteness of Wu."

From the South China Morning Post. His Excellency Wu, beloved of Hongkong for cindliness and wit, is enjoying himself at Washington. He has blandly stated that he expects to live 200 years by the simple expedient of not smok-ing, not drinking, refraining from meat, and not overeating or overdoing anything. This is the "simple life" over again, and will be indorsed by those who aim at counteracting artificiality in ordinary life. We do not propose to enroll ourselves in the ranks of Wu's adherents on the question of longevity, but we desire to chuckle—chuckle now accomplished—at the delightful way in which H. E. Wu Ting-fang introduces the simple life as an alternative to discussing Chinese affairs. The heights and hollows of kindly Chinese diplomacy are unfathomed by Westerners, and we can only rejoice that the Chinese Minister has escaped querists by climbing on the "simple life" platform. Live forever, Wut-

Ne Lone Dog May Bay the Moon. From the London Datty Mail.

The new Kent Control of Pogs Order, 190°, pro-

vides that no dog shall be allowed out between the hours of sunset and sunrise without being under proper restraint, and the first summons under this order was heard at Bromley yesterday when Edward Gillham of St. Anne's Lodge was summoned for allowing his dog to be out alone at night. The detendant said that the dog must have eller The defendant said that the dog must have either boken loose or have been decoyed away. He hoped that now they would have proper police protection and that it would not be necessary to keep a dog. His place had been broken into and nothing had been discovered about the perpetrators. The Bench said that as it was a new order, with which the public were not generally acquainted, they would only order the payment of costs, but they would only order the payment of the would be well for the public of Kent to make a

A Bude Awakening. From the Philadelphia Press.

Lower New England. From the Martha's Vineyard Herold Big Sunday next Sabbath.